

FISH & RICHARDSON P.C.

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OFFICE OF PETITIONS

Date January 6, 2004

To Publication Department

Telephone:

Facsimile number 14875-04000002 / 703-308-5065

From Nancy A. Bechet
Secretary

Re Secretary Membrane Protein DIV
Our Ref.: 14875-040002

Number of pages
Including this page 4

Message

URGENT

In connection with the attached, I have spoke to Dr. Gary Kuntz of the USPTO on January 5, 2004 who in turn directed me to send this fax to the Publication Dept. attention.

First, the Notice of Allowance has been sent to John Li at Biogen, Inc. Biogen, Inc. has nothing to do with this case. John Li was a former employee here at Fish & Richardson P.C. and we would like to know why this Corrected Notice went to his attention.

Second, the first Notice of Allowance was never sent to us, according to our docketing data base, was one ever sent?

We need the Notice sent to us as soon as possible as this was sent to Biogen, Inc. in error. Any questions or concerns, please contact me at 617-521-7089. Thank you.

Please acknowledge upon receipt by return facsimile.

Thank you,
Nancy Bechet, Secretary to Janis K. Fraser, Ph.D., J.D.

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at 617 542-5070 to arrange for its return. Thank you.

225 Franklin Street
Boston, Massachusetts
02110-2804

Telephone
617 542-5070

Facsimile
617 542-8906

Web Site
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DAC # 18
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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

OFFICE OF PETITIONS

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly print-up with any corrections or use Block 1)

7590 12/18/2003
JOHN LI
BIOGEN, INC.
14 CAMBRIDGE CENTER
CAMBRIDGE, MA 02142

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,266	05/14/2001	Nadhi Kimura	06501-040002 / CI-806PCT-	9570

TITLE OF INVENTION: SECRETORY MEMBRANE PROTEIN THAT INDUCES OSTEOBLAST DIFFERENTIATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$000	\$1630	03/18/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SEHARASEYON, JEGATHESAN	1647	536-023500

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☐ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2039 is attached.☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1473
Alexandria, Virginia 22313-1473
www.uspto.gov

**CORRECTED
NOTICE OF ALLOWANCE AND FEE(S) DUE**

JOHN LI
BIOGEN, INC.
14 CAMBRIDGE CENTER
CAMBRIDGE, MA 02142

7590

12/18/2003

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EXAMINER

SEHARASEVON, REGATHESAN

ART UNIT

PAPER NUMBER

1647

DATE MAILED: 12/18/2003

OFFICE OF PETITIONS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,266	05/14/2001	Nesidi Kruma	06301-040002 / CI-806PCT.	9570

TITLE OF INVENTION: SECRETORY MEMBRANE PROTEIN THAT INDUCES OSTEOBLAST DIFFERENTIATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	03/18/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the **SMALL ENTITY** status shown above.

If the **SMALL ENTITY** is shown as **YES**, verify your current **SMALL ENTITY** status:

A. If the status is the same, pay the **TOTAL FEE(S) DUE** shown above.

B. If the status is changed, pay the **PUBLICATION FEE** (if required) and twice the amount of the **ISSUE FEE** shown above and notify the United States Patent and Trademark Office of the change in status, or

If the **SMALL ENTITY** is shown as **NO**:

A. Pay **TOTAL FEE(S) DUE** shown above, or

B. If applicant claimed **SMALL ENTITY** status before, or is now claiming **SMALL ENTITY** status, check the box below and enclose the **PUBLICATION FEE** and 1/2 the **ISSUE FEE** shown above.

☐ Applicant claims **SMALL ENTITY** status.
Sec 37 CFR 1.27.

II. **PART B - FEE(S) TRANSMITTAL** should be completed and returned to the United States Patent and Trademark Office (USPTO) with your **ISSUE FEE** and **PUBLICATION FEE** (if required). Even if the fee(s) have already been paid, **Part B - Fee(s) Transmittal** should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of **Part B - Fee(s) Transmittal** should be completed and an extra copy of the form should be submitted.

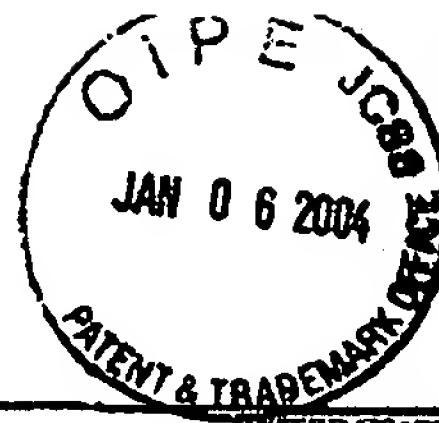
III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop **ISSUE FEE** unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

JAN - 5



UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,266	05/14/2001	Nacki Kimura	06501-040002 / CI-806PCT.	9570
JOHN LI 7590 BIOGEN, INC. 14 CAMBRIDGE CENTER CAMBRIDGE, MA 02142			EXAMINER SEKARASEYON, JEGATHESAN	
			ART UNIT 1647	PAPER NUMBER

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DATE MAILED: 12/18/2003

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.